

the gentleman from Utah (Mr. MATHE-SON).

The amendment was agreed to.

The Acting CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. MAHONEY of Florida) assumed the chair.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### HOMEOWNERS DEFENSE ACT OF 2007

The Committee resumed its sitting.

AMENDMENT NO. 12 OFFERED BY MS. GINNY BROWN-WAITE OF FLORIDA

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 Offered by Ms. GINNY BROWN-WAITE of Florida:

Page 22, line 11, strike "and".

Page 22, after line 17 insert the following new subparagraph:

(F) prohibit price gouging in any disaster area located within the State; and

Page 24, after line 3 insert the following new paragraph:

(3) PRICE GOUGING.—The term "price gouging" means the providing of any consumer good or service by a supplier related to repair or restoration of property damaged from a catastrophe for a price that the supplier knows or has reason to know is greater, by at least the percentage set forth in a State law or regulation prohibiting such act (notwithstanding any real cost increase due to any attendant business risk and other reasonable expenses that result from the major catastrophe involved), than the price charged by the supplier for such consumer good or service immediately before the disaster.

Page 24, line 4, redesignate paragraph (3) as paragraph (4).

Page 24, line 8, redesignate paragraph (4) as paragraph (5).

Page 24, line 10, redesignate paragraph (5) as paragraph (6).

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, for too long, Congress has taken a reserved and reactionary approach to helping victims of disasters. For too long, Members have fallen back on a naive notion that a national plan would only put taxpayers at risk. We have refused to admit that in the event of a natural disaster, we either pay now or we pay later, and paying later is a whole lot more expensive.

Please consider this: in 2005 the insurance industry, not the taxpayers, paid out \$61.2 billion for the 24 disasters that occurred that year; \$40 billion of that went to the insured losses of

Hurricane Katrina. That same year, Congress, using taxpayer dollars, awarded over \$89 billion in post-disaster assistance, \$89 billion that will never be recouped, that came from hardworking constituents from Illinois, for example, from my colleague who offered the amendment before, from West Virginia, from the State of the lady who is handling the bill on this side. Unless these constituents were directly affected by these events, they will never see a return of those dollars that the Federal Government provided. What is the lesson here? When Congress pays later, it's with taxpayer money that's never paid back.

For the first time, this bill and the manager's amendment provide a national plan to protect against losses. H.R. 3355 provides incentives to States to join a national consortium to issue catastrophic bonds. These bonds act as an alternative to costly reinsurance. It also provides some loans to the States that take the time to plan for their insured needs.

The amendment that we have at the desk today also relates to when a natural disaster strikes. How many natural disasters have we heard about, whether it's a tremendous snowstorm in the Northeast, whether it's a hurricane, whether it's an earthquake in California, where price gouging takes effect?

My amendment says, in order to qualify for the loans and Federal catastrophe fund under the bill, the various States would have to establish anti-price gouging laws for post-event materials, that's goods and materials that people need after a catastrophe. The amendment defines price-gouging as a supplier charging a price he knows is greater post-event than he charged pre-event, notwithstanding any reasonable business increases.

Certainly, this kind of an amendment would help stem the double-whammy of a natural disaster. You might, for example, have your home damaged, and then when someone comes in to put a blue tarp on the roof, the price is outrageous, or even the delivery of goods and services after such a disaster. We need to protect homeowners from people who would rip them off, people who are simply trying to rebuild their lives after such an event.

I urge the Members to support the anti-price gouging amendment that is before us today.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. KLEIN OF FLORIDA TO THE AMENDMENT OFFERED BY MS. GINNY BROWN-WAITE OF FLORIDA

Mr. KLEIN of Florida. Mr. Chairman, I offer an amendment to the amendment.

The Acting CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KLEIN of Florida to the amendment offered by Ms. GINNY BROWN-WAITE of Florida:

In the matter proposed to be inserted at page 22, after line 17, strike "prohibit" and insert "discourage".

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KLEIN of Florida. Thank you, Mr. Chairman, and I would like to thank the gentlelady from Florida on this work on price-gouging. She and I served in the legislature in Florida and worked together with many others on price-gouging legislation. I don't think anybody can condone any kind of price-gouging in a natural disaster or at any other time, but certainly in a time of a natural disaster.

What the amendment to the amendment does is it provides some flexible language in the implementation of this. It certainly is something that we want to encourage States to move forward on as part of their eligibility, but recognizing we also want to make sure we're not creating impediments in terms of many States getting involved in the natural disaster consortium as quickly as possible.

So I am in full support of this flexibility language, and that's exactly what the amendment does.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Ms. GINNY BROWN-WAITE of Florida. The gentleman from Florida, with whom I have worked so closely on this issue, and I obviously disagree. We disagree because I would like to have this as absolutely a mandatory part of participation, and he would prefer to have it as a suggestion.

I still believe that we need to make this mandatory. It's like, you know, somebody once said, the Ten Commandments are now a suggestion, they're not commandments. I don't want to just suggest it; I want to make sure that the price-gouging language is strong so that we do protect people at that time of a natural disaster.

Most States do have good price-gouging laws already on the books. I'm not very happy with the term "encourage." I think we need to mandate this as part of the process.

Mr. Chairman, I yield back the balance of my time.

Mr. MAHONEY of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MAHONEY of Florida. I appreciate the work the gentlelady from Florida has done on helping us do this bill. And I agree with her that I am also concerned, and we are concerned in this legislation about price-gouging.

Again, the issue is what's the role of the Federal Government with regard to this legislation? And the problem that we have with her amendment is that what she is proposing is to define for each State the definition of price-gouging. And while we accept and support the idea of encouraging legislation, the problem is when you take the next step and you start defining what price-gouging is, it's a relative standard that may or may not fit the circumstance; and, so, therefore, it may

be too low or it may be too high. So what we would prefer to do is we would prefer to let the experts who are running the program make the determination and make sure that what we're not doing is we're not putting and dictating to the States what they should or should not be doing with regards to that.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. KLEIN) to the amendment offered by the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

The amendment to the amendment was agreed to.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), as amended.

The amendment, as amended, was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. PUTNAM

Mr. PUTNAM. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. PUTNAM:  
Page 14, line 9, strike "and".  
Page 14, line 14, after the semicolon insert "; and".

Page 14, after line 14, insert the following new subparagraph:

(C) the State or regional reinsurance program enters into an agreement with the Secretary, as the Secretary shall require, that the State will not use Federal funds of any kind or from any Federal source (including any disaster or other financial assistance, loan proceeds, and any other assistance or subsidy) to repay the loan;

Page 20, line 12, after the period insert the following: "The Secretary may not accept any repayment of any loan made under this title that does not comply with the agreement for such loan entered into in accordance with section 202(b)(1)(C).".

The Acting CHAIRMAN. The gentleman from Florida is recognized for 5 minutes.

Mr. PUTNAM. Mr. Chairman, it's good to be here joining my Florida colleagues on an issue of such great importance not only to the State of Florida, but to the whole country.

As we discussed during committee, I believe there is a role for a public-private partnership in managing risk. Whether it's a hurricane on the gulf coast, an earthquake or wildfire in California, tornadoes across the central plains, the truth of the matter is any catastrophe is a terrible experience for a State, a business, or certainly a family to endure.

But we're not here to just talk about any catastrophe. We're here to talk about mega-catastrophes, or mega-disasters, the kind of the scale and the scope that displace entire towns, entire regions for months, if not years.

This amendment, in my view, offers a commonsense protection for the taxpayers who are not affected by that particular disaster in holding partici-

pating States accountable for any liquidity or catastrophic loans that they may be eligible to receive should they experience this type of disaster that the private marketplace cannot cover, in which case they may seek this temporary financial assistance.

The amendment says that as a condition for a State to receive a loan, it is required to agree not to repay with Federal funds, and the Secretary of the Treasury has to enforce that agreement. If a State qualifies for a loan and then proceeds to get a liquidity or a catastrophic loan, they have to pay it back with State funds. They can't transfer Federal disaster money and then use that as a way of repaying what the Feds have given them. That is, essentially, double dipping.

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I believe this amendment goes a long way to ensure that a State uses caution when entering into a loan for which that State is solely responsible for repayment.

Let me state clearly that this legislation we are debating is not meant to, nor should it ever, alleviate a State of its fiduciary responsibilities, nor should it replace the private marketplace. Rather, it is meant to assist in those times of extreme damage and ruin when a State or the private market cannot meet the State's or region's capacity. I encourage any State that decides to participate in the consortium or has a qualified reinsurance program to work beyond the bill's scope and promote greater mitigation, actuarially sound rates, and fiscal responsibility.

I recognize that some of my colleagues have concerns about this, but I believe we are all trying to find the right balance. I believe that the sponsors of this have done their very best to find that right balance and move this public policy forward to the House floor, and I appreciate that. One of the things that make our country great is the way we all rise to the occasion in solidarity with our fellow citizens who are suffering when a major disaster strikes. Rather than expect the Federal Government to save a State from all such liability, we should be encouraging those located in, high-risk, catastrophic areas to be better prepared for the inevitable. This legislation takes an important step forward toward that, and instead of expecting the Federal Government to take on that entire responsibility, we are working towards that partnership that allows for States to voluntarily participate in the program and finally bring them to the table as a true stakeholder.

Mr. Chairman, I yield back.

Mr. MAHONEY of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MAHONEY of Florida. I want to make the comment that I am in full support of my friend from Florida, and as I have had the opportunity to work

with him more and more, I always appreciate his wisdom in terms of making things better, and in this particular case the concept of making sure that Federal dollars are not being used to pay back Federal loans is a lot of wisdom, and as such, I applaud him. I appreciate his work with us on this piece of legislation.

Mr. Chairman, I urge my colleagues to support his amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. PUTNAM).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. PUTNAM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. SHAYS

Mr. SHAYS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. SHAYS:  
Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the "Commission on Natural Catastrophe Risk Management and Insurance Act of 2007".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Establishment.

Sec. 4. Membership.

Sec. 5. Duties of the Commission.

Sec. 6. Timing.

Sec. 7. Powers of the Commission.

Sec. 8. Commission personnel matters.

Sec. 9. Termination.

Sec. 10. Authorization of appropriations.

**SEC. 2. FINDINGS.**

The Congress finds that—

(1) catastrophic hazards, including tornadoes, earthquakes, volcanoes, landslides, tsunamis, flooding, and hurricanes, directly affect hundreds of millions of people each year;

(2) during the 1990s, 2,800 natural disasters killed more than 500,000 people and directly affected 1,300,000,000 people worldwide;

(3) property damage from natural catastrophes has dramatically increased in recent decades, roughly doubling every seven years—a 14-fold increase over the past 40 years;

(4) risk costs have particularly soared in coastal areas, where hurricane frequency and severity has significantly increased, along with home values and building costs;

(5) increased risk costs are being reflected in increased catastrophe insurance and reinsurance costs;

(6) an inefficient legal and regulatory environment in some States has further exacerbated insurance cost increases, including through ineffective price controls, restrictions on capital movement, sub-optimal solvency regulation, and duplicative or unnecessary regulation;

(7) consumers further suffer from temporary rate and availability volatility after

major catastrophes while the marketplace adjusts to the losses;

(8) government catastrophe mitigation requirements have been sub-optimal, sometimes ineffective, and uncoordinated;

(9) some State efforts to reduce insurance prices in catastrophe-prone areas have sometimes reduced long-term availability and competitive affordability of coverage, as well as subsidized excessive development in environmentally sensitive areas at the expense of taxpayers;

(10) several proposals have been introduced in the Congress to address the affordability of natural catastrophe insurance, but there is little consensus on the appropriate role of the Federal Government in facilitating the private insurance marketplace while avoiding cross-subsidies; and

(1) therefore, an efficient and effective approach to assessing natural catastrophe risk management and insurance is to establish a nonpartisan commission to study the management of natural catastrophe risk, and to require such commission to report to the Congress on its findings before the next hurricane season begins.

### SEC. 3. ESTABLISHMENT.

There is established a nonpartisan Commission on Natural Catastrophe Risk Management and Insurance (in this Act referred to as the "Commission").

### SEC. 4. MEMBERSHIP.

(a) APPOINTMENT.—The Commission shall be composed of 16 members, of whom—

(1) 2 members shall be appointed by the Majority Leader of the Senate;

(2) 2 members shall be appointed by the Minority Leader of the Senate;

(3) 2 members shall be appointed by the Speaker of the House of Representatives;

(4) 2 members shall be appointed by the Minority Leader of the House of Representatives;

(5) 2 members shall be appointed by the Chairman of the Committee on Banking, Housing, and Urban Affairs of the Senate;

(6) 2 members shall be appointed by the Ranking Member of the Committee on Banking, Housing, and Urban Affairs of the Senate;

(7) 2 members shall be appointed by the Chairman of the Committee on Financial Services of the House of Representatives; and

(8) 2 members shall be appointed by the Ranking Member of the Committee on Financial Services of the House of Representatives.

(b) QUALIFICATION OF MEMBERS.—

(1) IN GENERAL.—Members of the Commission shall be appointed under subsection (a) from among persons who—

(A) have expertise in insurance, reinsurance, insurance regulation, policyholder concerns, emergency management, risk management, public finance, financial markets, actuarial analysis, flood mapping and planning, structural engineering, building standards, land use planning, natural catastrophes, meteorology, seismology, environmental issues, or other pertinent qualifications or experience; and

(B) are not officers or employees of the United States Government or of any State government.

(2) DIVERSITY.—In making appointments to the Commission—

(A) every effort shall be made to ensure that the members are representative of a broad cross section of perspectives within the United States; and

(B) each member of Congress described in subsection (a) shall appoint not more than 1 person from any single primary area of expertise described in paragraph (1)(A) of this subsection.

(c) PERIOD OF APPOINTMENT.—

(1) IN GENERAL.—Each member of the Commission shall be appointed for the duration of the Commission.

(2) VACANCIES.—A vacancy on the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) QUORUM.—

(1) MAJORITY.—A majority of the members of the Commission shall constitute a quorum, but a lesser number, as determined by the Commission, may hold hearings.

(2) APPROVAL ACTIONS.—All recommendations and reports of the Commission required by this Act shall be approved only by a two-thirds vote of all of the members of the Commission.

(e) CHAIRPERSON.—The Commission shall, by majority vote of all of the members, select 1 member to serve as the Chairperson of the Commission (in this Act referred to as the "Chairperson").

(f) MEETINGS.—The Commission shall meet at the call of its Chairperson or a majority of the members.

### SEC. 5. DUTIES OF THE COMMISSION.

The Commission shall examine and report to the Congress on the natural catastrophe insurance marketplace, including the extent to which insurance costs and availability are affected by the factors described in section 2, which factors the Federal Government can and should address to increase catastrophe insurance availability and competitiveness, and which actions the Federal Government can undertake to achieve this goal without requiring a long-term cross-subsidy from the taxpayers. In developing its report, the Commission shall consider—

(1) the current condition of, as well as the outlook for, the availability and affordability of insurance and reinsurance for natural catastrophes in all regions of the United States;

(2) the current ability of States, communities, and individuals to mitigate their natural catastrophe risks, including the affordability and feasibility of such activities;

(3) the impact of Federal and State laws, regulations, and policies (including rate regulation, market access requirements, reinsurance regulations, accounting and tax policies, State residual markets, and State catastrophe funds) on—

(A) the affordability and availability of catastrophe insurance;

(B) the ability of the private insurance market to cover losses inflicted by natural catastrophes;

(C) the commercial and residential development of high-risk areas; and

(D) the costs of natural catastrophes to Federal and State taxpayers;

(4) the benefits and costs of—

(A) a national, regional, or other pooling mechanism designed to provide adequate insurance coverage and increased underwriting capacity to insurers and reinsurers, including private-public partnerships to increase insurance capacity in constrained markets, including proposed Federal natural catastrophe insurance programs (specifically addressing the costs to taxpayers, tax equity considerations, and the record of other government insurance programs, particularly with regard to charging actuarially sound prices);

(B) improving Federal and State tax policy to allow insurers or individuals to set aside catastrophe reserves;

(C) directing existing Federal agencies to begin selling catastrophe insurance to individuals;

(D) creating a consortium of Federal and State officials to facilitate state catastrophe bonds and reinsurance purchasing as well as

providing temporary Federal disaster loans to the States for insurance purposes;

(E) expanding the Liability Risk Retention Act of 1986 to allow businesses to pool together to buy insurance and set up their own insurance funds;

(F) providing temporary Federal assistance to low-income individual homeowners whose catastrophe insurance rates have increased beyond a certain level after a major disaster, with the possibility that the assistance would be repaid upon sale of the underlying home;

(H) providing for limited Federal development and oversight of the sale of catastrophe insurance in high-risk areas during periods of relative unavailability; and

(I) facilitating further growth of the catastrophe bond marketplace and other competitive alternatives to the traditional insurance and reinsurance marketplace;

(5) the present and long-term financial condition of State residual markets and catastrophe funds in high-risk regions, including the likelihood of insolvency following a natural catastrophe, the concentration of risks within such funds, the reliance on post-event assessments and State funding, the adequacy of rates, and the degree to which such entities have been actuarially solvent in comparison to comparably sized private insurers;

(6) the need for strengthened land use regulations and building codes in States at high risk for natural catastrophes, and methods to strengthen the risk assessment and enforcement of structural mitigation and vulnerability reduction measures, such as zoning and building code compliance;

(7) the ability of the private insurance market in the United States—

(A) to cover insured losses caused by natural catastrophes, including an estimate of the maximum amount of insured losses that could be sustained during a single year and the probability of natural catastrophes occurring in a single year that would inflict more insured losses than the United States insurance and reinsurance markets could sustain; and

(B) to recover after covering substantial insured losses caused by natural catastrophes;

(8) the impact that demographic trends could have on the amount of insured losses inflicted by future natural catastrophes;

(9) the appropriate role, if any, for the Federal Government in stabilizing the property and casualty insurance and reinsurance markets; and

(10) the role of the Federal, State, and local governments in providing incentives for feasible risk mitigation efforts.

### SEC. 6. TIMING.

Before the beginning of the 2008 hurricane season, which for purposes of this section shall be considered to be June 1, 2008, the Commission shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a final report containing—

(1) a detailed statement of the findings and assessments conducted by the Commission pursuant to section 5; and

(2) specific and detailed recommendations for legislative, regulatory, administrative, or other actions at the Federal, State, or local levels that the Commission considers appropriate, in accordance with the requirements of section 5.

### SEC. 7. POWERS OF THE COMMISSION.

(a) MEETINGS; HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers necessary to carry out the purposes of this Act. Members may attend meetings of the Commission and vote in person,

via telephone conference, or via video conference.

(b) **AUTHORITY OF MEMBERS OR AGENTS OF THE COMMISSION.**—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this Act.

(c) **OBTAINING OFFICIAL DATA.**—

(1) **AUTHORITY.**—Notwithstanding any provision of section 552a of title 5, United States Code, the Commission may secure directly from any department or agency of the United States any information necessary to enable the Commission to carry out this Act.

(2) **PROCEDURE.**—Upon request of the Chairperson, the head of such department or agency shall furnish to the Commission the information requested.

(d) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(e) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, any administrative support services necessary for the Commission to carry out its responsibilities under this Act.

(f) **ACCEPTANCE OF GIFTS.**—The Commission may accept, hold, administer, and utilize gifts, donations, and bequests of property, both real and personal, for the purposes of aiding or facilitating the work of the Commission. The Commission shall issue internal guidelines governing the receipt of donations of services or property.

(g) **VOLUNTEER SERVICES.**—Notwithstanding the provisions of section 1342 of title 31, United States Code, the Commission may accept and utilize the services of volunteers serving without compensation. The Commission may reimburse such volunteers for local travel and office supplies, and for other travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.

(h) **FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949.**—Subject to the Federal Property and Administrative Services Act of 1949, the Commission may enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of activities necessary to the discharge of its duties and responsibilities.

(i) **LIMITATION ON CONTRACTS.**—A contract or other legal agreement entered into by the Commission may not extend beyond the date of the termination of the Commission.

#### **SEC. 8. COMMISSION PERSONNEL MATTERS.**

(a) **TRAVEL EXPENSES.**—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(b) **SUBCOMMITTEES.**—The Commission may establish subcommittees and appoint members of the Commission to such subcommittees as the Commission considers appropriate.

(c) **STAFF.**—Subject to such policies as the Commission may prescribe, the Chairperson may appoint and fix the pay of such additional personnel as the Chairperson considers appropriate to carry out the duties of the Commission. The Commission shall confirm the appointment of the executive director by majority vote of all of the members of the Commission.

(d) **APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.**—Staff of the Commission may be—

(1) appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service; and

(2) paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay prescribed for GS-15 of the General Schedule under section 5332 of that title.

(e) **EXPERTS AND CONSULTANTS.**—In carrying out its objectives, the Commission may procure temporary and intermittent services of consultants and experts under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for GS-15 of the General Schedule under section 5332 of that title.

(f) **DETAIL OF GOVERNMENT EMPLOYEES.**—Upon request of the Chairperson, any Federal Government employee may be detailed to the Commission to assist in carrying out the duties of the Commission—

(1) on a reimbursable basis; and

(2) such detail shall be without interruption or loss of civil service status or privilege.

#### **SEC. 9. TERMINATION.**

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 6.

#### **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Commission, such sums as may be necessary to carry out this Act, to remain available until expended.

The Acting CHAIRMAN. The gentleman from Connecticut is recognized for 5 minutes.

Mr. SHAYS. Mr. Chairman, this amendment would strike the text of the bill in favor of creating a blue ribbon commission to develop a full array of policy options that Congress could pursue to address the concerns of insurance affordability and availability in disaster-prone areas of our country.

I introduced this language as a free-standing bill on a bipartisan basis with my colleague from Oregon (Mr. BLUMENAUER). It would bring together 16 of the country's leading experts on catastrophe-related issues who would be tasked with studying the issue in depth, gathering information from a host of constituencies affected by natural disasters and then reporting back to Congress with specific and detailed recommendations for legislative, regulatory, administrative or other actions to improve the natural catastrophe insurance marketplace.

The idea of this commission was originated by the chairman of the Senate Banking Committee, the senior Senator from Connecticut, Senator CHRISTOPHER DODD. Just before the August recess, Senate Banking Committee reported a bill out of committee unanimously creating the Commission, and I hope it will be considered on the Senate floor soon. I would like to highlight a few of the duties we will task the committee with examining. The full list of duties is found on page 7 of my amendment in section 5.

We will ask the Commission to consider the current condition of, as well as the outlook for, the availability and

affordability of insurance and reinsurance for natural catastrophes in all regions of the United States not just in some; the current ability of States, communities and individuals to mitigate their natural catastrophe risks, including the affordability and feasibility of such activities; the benefits and costs of a national, regional or other pooling mechanism designed to provide adequate insurance coverage and increase the underwriting capacity to insurers and reinsurers; the need for strengthening land use regulations and building codes in States at high risk for natural catastrophes; and the appropriate role, if any, for the Federal Government in stabilizing the property and casualty insurance and reinsurance markets and the role of the Federal, State and local governments in providing incentives for feasibility risk mitigation efforts.

We have heard a host of arguments already today on the merits and drawbacks of the underlying bill proposed by my colleague from Florida. I happen to believe the underlying bill is an overreach that could potentially expose taxpayers to massive liabilities. I am mostly concerned about encouraging States to create qualifying State insurance funds which are likely to further crowd out the private marketplace.

It seems to me there exists a happy medium between those who have total confidence in the private marketplace to correct problems in the insurance market and those who believe the Federal Government must intervene to set the market right.

We should not underestimate the weight of our decisions to move forward with the underlying bill. Inserting the Government's hand into the insurance marketplace threatens to disrupt the interrelationship of risk mitigation; threatens to disrupt population growth and economic development in vulnerable regions; threatens to disrupt private insurance and reinsurance markets for catastrophic risk management; threatens to disrupt insurance rate regulation, and threatens to disrupt the role of State-run catastrophic insurance mechanisms which are only beginning to be systematically examined.

Rather than rushing to vote on the underlying bill, I believe Congress should tap the growing body of knowledge and expertise that is now just coming together.

The bottom line is there are several proposals that have merit, and each would benefit from the kind of rigorous objective study that an impartial commission of experts could provide.

I believe this amendment is a measured approach, an approach supported by the Senate, at least the committee, and urge my colleagues to support the creation of a commission on natural catastrophic risk management and insurance in lieu of the current proposal.

I also want to point out that the existing bill, besides likely not being supported by the Senate, has a veto threat

by the President because of the massive liabilities and the incredible disruption that this legislation may cause the insurance marketplace.

Mr. Chairman, I yield back.

Mr. MAHONEY of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MAHONEY of Florida. Mr. Chairman, I want to thank the gentleman from Connecticut for his amendment. I just want to make a couple of comments.

This is a problem that has been afflicting Americans now for over a decade. This Congress has looked at this problem for over a decade. For over a decade, this Congress has failed to do anything. And right now, as we are sitting here in the comfort of this great Chamber, there is a grandmother in Okeechobee, Florida, who has to sit down and write a check tonight to pay her mortgage, her insurance, and her property taxes. Let me just say this for all of the people, the millions of people right now who are afraid that they cannot make that payment. The idea after a decade of doing nothing to continue to recommend to do nothing is unconscionable. It is also unconscionable that when Hurricane Katrina hit Louisiana and Mississippi, of the \$110 billion bailout, that the people in the State of Connecticut coughed up \$1.39 billion to pay off a disaster. This has to stop.

What the gentleman from Connecticut is trying to do is he is trying to kill this legislation with this amendment. He is trying to hurt the people in Okeechobee right now who are suffering, trying to figure out how to pay their bills. I would urge people to defeat this amendment because this is not the people's business. What we need to do is we need to act responsibly. We need to take care of people who should be able to live in their homes and afford their homes. Having a home and home ownership is the American Dream. It is important that we protect it. The time has long passed, over a decade, the time has long passed for study. Today, this House has the opportunity to take action.

Mr. Chairman, I would encourage my colleagues to vote "no" on this amendment.

I yield back the balance of my time.

Ms. GINNY BROWN-WAITE. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Ms. GINNY BROWN-WAITE. Mr. Chairman, I am very fond of the gentleman from Connecticut, and I know his heart is in the right place. He has been very supportive of many of the things that are proposed in this Chamber, and on many, many issues we agree; however, this is an issue that we do not agree on.

Study, study, study. Let's just study it again. That is what Congress has

done for so many issues for so many years. Another colleague of ours, JO ANN EMERSON, came to Congress a little over 10 years ago taking her husband's place in Congress. He had passed away. The reason I mention this is her husband chaired a study group on this very subject in 1995 or 1996. How much longer do people have to believe that Congress is going to do nothing other than create another bound study that is going to sit on somebody's bookshelf someplace and not accomplish one darn thing? This isn't just about Florida. It is about every State that faces natural catastrophes. It is about finally having a solution.

The gentleman from Connecticut was elected to serve in the House. Quite honestly, there are many times when, on this very floor, we all say, I don't care what the Senate is going to do. Well, it just so happens that a bill recently was introduced, very similar to this bill, by Senator NELSON and a neighbor of the gentleman from Connecticut, Mrs. CLINTON, Senator CLINTON, so there is a companion bill over in the other House. While that companion bill is not bipartisan, it is some movement. It is acknowledgement to the people out there who are paying outrageous insurance rates that Congress is finally stepping up and doing something and not just creating another study killing who knows how many trees. I know the gentleman from Connecticut is an environmentalist. I would think he would want to save a few trees.

Mr. Chairman, I disagree with the gentleman's amendment, and I encourage my colleagues to vote against it.

Mr. KLEIN of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KLEIN of Florida. Mr. Chairman, what has just been expressed by our colleagues from around the country is that this is a time for action on an issue that is well overdue. There have been many parts of the country that have been hit by this insurance problem for a long time. But I can tell you that whether you are in the State legislature, like I was in the past, or in the Congress, or in any local government, or even a lot of businesses, a lot of times when you want to study something and you want to put it on the shelf and collect dust, it is not going anywhere. This particular provision, this particular idea sounds nice. It says, oh, we are going to study this and we're going to study that and have qualified people come together. Well, do you know something? That is what we have been doing. We have been bringing together qualified people.

We have spent a lot of time, bipartisan, a lot of experts in the field, consumer groups and experts on Wall Street and people in the industry to really figure out what is the right way to do this. Is this perfect? I don't know. But we have certainly tried to do what we think is common sense and we are moving in the right direction.

The notion of studying it and coming back, and this particular provision says coming back on June 1 of 2008 with a report which will then be presented to the Financial Services Committee, which will then hold hearings and more hearings and more hearings, and then it will end up in the Senate, we are talking about 2015 before they even bring a bill up.

Well, we have something here today that is a bill. It is an idea, a set of ideas that have been developed, and we are ready to move on it. And the people back home are ready for us to move it. They want action. They want relief from their insurance bills. They want to know as taxpayers there is a better way of doing this than the Federal Government writing a check every time. That is what this bill does.

So with all due respect to those folks who say, let's study it more, it hasn't been studied enough, yes, it has. It has been studied enough. And we will continue to study it when it goes over to the Senate. But we are looking to make a bill, finalize a bill here in the House today. Let the Senate take it up over the next couple of months and let's get some relief to the homeowners of the United States when it comes to their homeowners insurance.

Mr. Chairman, I yield back my time.

□ 1745

Mrs. CAPITO. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, I thank the gentlewoman for yielding to me.

I want to say to my colleagues from Florida that I would probably be saying the same things they are if I was from Florida. And I would say them with all the sincerity that you are saying them and I would attack any proposals that took a different position.

First, we are capable in this Chamber of acting quickly. I do agree with my colleagues that it has been a number of years that we have done nothing. I don't agree that we have had the kind of study that we need and the kind of study that you would see in my proposal.

But what I would also say, for whatever it's worth, not that it's going to change votes, but I want to go on record that if such a study is ultimately passed because of the Senate, even if this Chamber doesn't pass my amendment, that I will go out of my way to fight for a bill to deal with this issue next year. That is just a commitment I want to put on the record because I don't think we can continue to wait.

What concerns me is I feel like in an effort to deal with the very real problem of Florida, we are going to screw things up for 49 other States, or 40, or 35, and that we are going to do something that a lot of Members don't want

to do and that is create huge liabilities for the Federal Government.

I am not suggesting that this is a perfect solution. My problem is I think the bill that is being promulgated by the Florida delegation is fatally flawed. I think if there was a study, we would come back with a proposal that would have similarities to this legislation, but not so negatively impacting the rest of the country and not providing the kind of potential liabilities to the tax payers.

I do respect what my colleagues from Florida are saying. I think they are fighting for their constituencies. But I think those of us who aren't in Florida have an obligation to step up and voice the kind of reservations that exist elsewhere throughout the country.

Again, if this amendment fails and this bill passes as it is and is sent to the Senate and dies, or passes both Chambers and the President vetoes it so nothing happens, I will be on your side of the issue working with my Florida colleagues to deal with the issue next year.

Mrs. CAPITO. Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. SHAYS. Mr. Chairman, I demand a recorded vote.

The ACTING Chairman. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Connecticut will be postponed.

VACATING ORDERING OF RECORDED VOTE ON  
AMENDMENT NO. 15

Mr. PUTNAM. Mr. Chairman, against my better judgment, I asked for a recorded vote on something I had won. As good as it would feel to see it up there in lights, I ask unanimous consent to vacate the request for a recorded vote on the Putnam amendment to the end that the Chair put the question de novo.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. PUTNAM).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CAMPBELL  
OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. CAMPBELL of California:

Page 2, line 5, before "Homeowners'" insert "Business Owners' and".

Page 6, line 15, before "homeowners'" insert "business owners and".

Page 13, lines 5 and 6, strike "HOME-OWNERS".

Page 13, line 13, before "homeowners'" insert "property and".

Page 18, line 9, strike "personal real".

Page 20, line 25, insert "property and" after "all".

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. CAMPBELL of California. Mr. Chairman, I stand here before you as a Member of Congress not from Florida; in fact, from California. But I support this bill. If a tsunami were to hit Honolulu, there is not enough insurance base in the entire State for all the types of insurance there could possibly be to cover the effects of that kind of disaster.

I come from California, which is not a small State. It is in fact the largest State. But we have earthquakes. After the Northridge earthquake, you could not buy earthquake insurance pretty much from anywhere at any price in the entire State of California after that earthquake. So even in a large State like California you can have problems getting disaster insurance for various disasters, even today; and it has been a number of years since we have had any significant number of earthquakes in California. The earthquake insurance, currently there's a State program to cover earthquake insurance and it vacillates between not providing very much coverage and being not actuarially sound.

So I support this bill because we do need to look at tsunamis in Hawaii, earthquakes in California, hurricanes in Florida and tornadoes in Kansas, and ways that we can pool those risks. Now, if a disaster of any type hits any one of those States, as I mentioned, that earthquake or that hurricane or that tornado will not discriminate between single families' homes and apartment buildings or commercial property. The amendment that I offer today, Mr. Chairman, would add commercial property to this bill because, as I said, the disasters don't discriminate. But also, when you think about it, if a hurricane hits, and I know the sponsors of this bill are very familiar with that, or an earthquake hits and an apartment building goes down, the people living in that apartment building need that apartment building rebuilt every bit as much as the people in the single family home need their single family home rebuilt.

If jobs and economic activity are to be restored in the region hit by the disaster, then the businesses that were destroyed or severely damaged in that disaster also need to be rebuilt. So what this bill would do is it would not compel any State to include commercial property in their State program. But if a State chooses to include commercial property in their State program, then it could be included in the risk pools that will be set up as a result of this bill.

Mr. Chairman, I yield back the balance of my time.

Mr. KLEIN of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KLEIN of Florida. Thank you, Mr. Chairman, and I thank the gentleman from California. Although we are from different parts of the country and sort of the extreme points of the country, we share, along with many people in other quarters of the country, the same problem; and it is a problem with dealing with these large-scale natural disasters which are difficult to predict and, at the higher end, difficult to insure. Whether it is mud slides or wildfires or earthquakes or tornadoes or major floods or hurricanes or blizzards or any number of other things which cause very large-scale damage, we need to find a way to come together and resolve this, which is what, of course, this plan is trying to do.

What the gentleman has proposed, and is something I think we should all recognize, is the fact that earthquakes don't distinguish between a house and an office building, or a house and an apartment building, or any other number of commercial or private structures. I think the notion here of trying to, again, pool interests is something that deserves a lot of attention.

I would like to pose a notion to the gentleman. I know the Chair of Financial Services has mentioned that he would like to hold a hearing, because as we developed this, we were pretty close to certain this would work with the residential property community, and even put something in the bill at the gentleman's request about the multi-family properties as well, because I think that is a big issue.

As it relates to the broader issue, I think we want to continue to investigate this, to understand from the Congressional Budget Office's point of view, making sure that, as this does meet PAYGO, we want to make sure this continues to meet PAYGO; and I think if we were to adopt this amendment, I think there would be some question about that.

If the gentleman would respond as to whether he would withdraw the amendment now, with the commitment, I think from chairman of the Financial Services Committee, to, number one, hold a hearing and bring all the necessary information together and continue to work on this, whether it is in this piece of legislation as it moves to the Senate, or we all work together on another piece of legislation to deal with the same issue.

Mr. CAMPBELL of California. Mr. Chairman, will the gentleman yield?

Mr. KLEIN of Florida. I yield to the gentleman from California.

Mr. CAMPBELL of California. I thank the gentleman.

With the commitment from the gentleman from Florida and the understanding of the chairman of committee that we would hold a hearing on this and that we would then consider perhaps free-standing legislation or putting it in this, if as a result of that hearing we believe that there would be



a way to add the commercial property, with that understanding I would ask unanimous consent to withdraw the amendment.

Mr. KLEIN of Florida. Reclaiming my time, I thank the gentleman, and look forward to working with him on that issue.

Mr. Chairman, I yield back the balance of my time.

Mr. CAMPBELL of California. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

#### ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 17 by Mr. KLEIN of Florida of Florida.

Amendment No. 6 by Mr. ROSKAM of Illinois.

Amendment No. 13 by Mr. ROSKAM of Illinois.

Amendment No. 1 by Mr. MANZULLO of Illinois.

Amendment No. 5 by Mr. SHAYS of Connecticut.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 17 OFFERED BY MR. KLEIN OF FLORIDA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. KLEIN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 253, noes 159, not voting 25, as follows:

[Roll No. 1068]

#### AYES—253

Abercrombie	Boustany	Conyers
Ackerman	Boyd (FL)	Cooper
Allen	Boyd (KS)	Costa
Altmire	Brady (PA)	Costello
Andrews	Braley (IA)	Courtney
Arcuri	Brown (SC)	Cramer
Baca	Brown, Corrine	Crenshaw
Baird	Brown-Waite,	Crowley
Baldwin	Ginny	Cuellar
Barrow	Buchanan	Cummings
Becerra	Butterfield	Davis (AL)
Berkley	Cannon	Davis (CA)
Berman	Capps	Davis (IL)
Berry	Capuano	Davis, Lincoln
Bilbray	Cardoza	DeFazio
Bilirakis	Carney	DeGette
Bishop (GA)	Castor	Delahunt
Bishop (NY)	Chandler	DeLauro
Blumenauer	Clarke	Diaz-Balart, L.
Bonner	Clay	Diaz-Balart, M.
Bordallo	Cleaver	Dicks
Boswell	Clyburn	Dingell
Boucher	Cohen	Doggett

Donnelly	Larsen (WA)	Ross
Doyle	Larson (CT)	Rothman
Edwards	Lee	Roybal-Allard
Ellison	Lewis (GA)	Ruppersberger
Ellsworth	Lipinski	Rush
Emanuel	LoBiondo	Salazar
Engel	Loebback	Sánchez, Linda
Eshoo	Lofgren, Zoe	T.
Etheridge	Lowey	Sanchez, Loretta
Faleomavaega	Lynch	Sarbanes
Farr	Mack	Schakowsky
Fattah	Mahoney (FL)	Schiff
Feeney	Maloney (NY)	Schwartz
Ferguson	Markey	Scott (GA)
Filner	Marshall	Scott (VA)
Fortuño	Matheson	Serrano
Frank (MA)	Matsui	Sestak
Gillibrand	McCarthy (NY)	Shea-Porter
Gonzalez	McCollum (MN)	Sherman
Gordon	McDermott	Shuler
Green, Al	McGovern	Sires
Green, Gene	McHugh	Skelton
Grijalva	McIntyre	Smith (NJ)
Gutierrez	McNerney	Smith (WA)
Hall (NY)	McNulty	Snyder
Hare	Meek (FL)	Solis
Harman	Meeks (NY)	Space
Hastings (FL)	Melancon	Spratt
Hereth Sandlin	Mica	Stark
Higgins	Michaud	Stearns
Hill	Miller (NC)	Stupak
Hinchey	Miller, George	Sutton
Hinojosa	Mitchell	Tanner
Hirono	Mollohan	Tauscher
Hobson	Moore (KS)	Taylor
Hodes	Moore (WI)	Thompson (CA)
Holden	Moran (VA)	Thompson (MS)
Holt	Murphy (CT)	Tierney
Honda	Murphy, Patrick	Towns
Hooley	Murtha	Tsongas
Hoyer	Nadler	Udall (CO)
Inslee	Napolitano	Udall (NM)
Israel	Neal (MA)	Van Hollen
Jackson (IL)	Obey	Velázquez
Jackson-Lee	Olver	Visclosky
(TX)	Ortiz	Walz (MN)
Jefferson	Pallone	Wasserman
Johnson (GA)	Pascarell	Schultz
Johnson (IL)	Pastor	Waters
Johnson, E. B.	Payne	Watson
Jones (NC)	Perlmutter	Watt
Kagen	Peterson (MN)	Waxman
Kanjorski	Pomeroy	Weiner
Kaptur	Price (NC)	Welch (VT)
Keller	Putnam	Weldon (FL)
Kennedy	Radanovich	Wexler
Kildee	Rahall	Wilson (OH)
Kilpatrick	Ramstad	Woolsey
Kind	Rangel	Wu
Klein (FL)	Reyes	Yarmuth
Kucinich	Richardson	Young (AK)
Lampson	Rodriguez	Young (FL)
Langevin	Ros-Lehtinen	

#### NOES—159

Aderholt	Deal (GA)	Hoekstra
Akin	Dent	Hulshof
Alexander	Doolittle	Inglis (SC)
Bachmann	Drake	Issa
Bachus	Dreier	Johnson, Sam
Baker	Duncan	Jordan
Barrett (SC)	Ehlers	King (IA)
Bartlett (MD)	Emerson	King (NY)
Barton (TX)	English (PA)	Kingston
Biggart	Everett	Kirk
Blackburn	Fallin	Kline (MN)
Blunt	Flake	Knollenberg
Boehner	Forbes	Kuhl (NY)
Bono	Fortenberry	Lamborn
Boozman	Fossella	Latham
Brady (TX)	Fox	LaTourette
Broun (GA)	Franks (AZ)	Lewis (CA)
Burgess	Frelinghuysen	Lewis (KY)
Burton (IN)	Gallely	Linder
Calvert	Garrett (NJ)	Lucas
Camp (MI)	Gerlach	Manzullo
Campbell (CA)	Gilchrest	Marchant
Cantor	Gingrey	McCarthy (CA)
Capito	Gohmert	McCaul (TX)
Carter	Goode	McCotter
Castle	Goodlatte	McHenry
Chabot	Granger	McKeon
Coble	Graves	McMorris
Cole (OK)	Hall (TX)	Rodgers
Conaway	Hastings (WA)	Miller (MI)
Culberson	Hayes	Miller, Gary
Davis (KY)	Heller	Moran (KS)
Davis, David	Hensarling	Murphy, Tim
Davis, Tom	Herger	Musgrave

Myrick	Reynolds	Tancred
Neugebauer	Rogers (AL)	Terry
Norton	Rogers (KY)	Thornberry
Nunes	Rogers (MI)	Tiahrt
Paul	Rohrabacher	Tiberi
Pearce	Roskam	Turner
Pence	Royce	Upton
Peterson (PA)	Sali	Walberg
Petri	Schmidt	Walden (OR)
Pickering	Sensenbrenner	Walsh (NY)
Pitts	Sessions	Wamp
Platts	Shadegg	Weller
Poe	Shays	Westmoreland
Porter	Shimkus	Whitfield
Price (GA)	Shuster	Wicker
Pryce (OH)	Simpson	Wilson (NM)
Regula	Smith (NE)	Wilson (SC)
Rehberg	Smith (TX)	Wolf
Reichert	Souder	
Renzi	Sullivan	

#### NOT VOTING—25

Bean	Hastert	McCrery
Bishop (UT)	Hunter	Miller (FL)
Boren	Jindal	Oberstar
Buyer	Jones (OH)	Ryan (OH)
Carnahan	LaHood	Ryan (WI)
Carson	Lantos	Saxton
Christensen	Levin	Slaughter
Cubin	Lungren, Daniel	Wynn
Giffords	E.	

#### ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1822

Mr. PICKERING, Mrs. DRAKE, and Mr. HELLER of Nevada changed their vote from “aye” to “no.”

Mr. SHERMAN and Mr. MILLER of North Carolina changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

#### AMENDMENT NO. 6 OFFERED BY MR. ROSKAM

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. ROSKAM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 15-minute vote.

The vote was taken by electronic device, and there were—ayes 168, noes 249, not voting 20, as follows:

[Roll No. 1069]

#### AYES—168

Aderholt	Boozman	Coble
Akin	Boustany	Cole (OK)
Alexander	Boyd (KS)	Cooper
Altmire	Brady (TX)	Costa
Bachmann	Brown-Waite,	Davis (KY)
Bachus	Ginny	Davis, David
Baker	Buchanan	Davis, Tom
Barrett (SC)	Burgess	Dent
Bartlett (MD)	Camp (MI)	Doolittle
Barton (TX)	Cannon	Drake
Biggart	Cantor	Dreier
Bilbray	Capito	Duncan
Blackburn	Carney	Ehlers
Blumenauer	Carter	Emerson
Blunt	Castle	English (PA)
Boehner	Castor	Everett
Bonner	Chabot	Fallin
Bono	Chandler	Feeney

NOES—245		
Baca	Doyle	Kucinich
Baird	Edwards	Lampson
Baldwin	Ellison	Langevin
Barrow	Ellsworth	Larsen (WA)
Becerra	Emanuel	Larson (CT)
Berkley	Engel	Latham
Berman	Eshoo	Lee
Berry	Etheridge	Lewis (CA)
Bilirakis	Faleomavaega	Lewis (GA)
Bishop (GA)	Farr	Lewis (KY)
Bishop (NY)	Fattah	Lipinski
Bordallo	Filner	LoBiondo
Boswell	Fortenberry	Loeb sack
Boucher	Fortuño	Lofgren, Zoe
Boyd (FL)	Frank (MA)	Lowe y
Brady (PA)	Gillibrand	Lynch
Braley (IA)	Gohmert	Mahoney (FL)
Brown (GA)	Gonzalez	Maloney (NY)
Brown (SC)	Gordon	Markey
Brown, Corrine	Green, Al	Marshall
Burton (IN)	Green, Gene	Matheson
Butterfield	Grijalva	Matsui
Calvert	Gutierrez	McCarthy (NY)
Campbell (CA)	Hall (NY)	McCollum (MN)
Capps	Hare	McDermott
Capuano	Harman	McGovern
Cardoza	Hastings (FL)	McIntyre
Carnahan	Herseth Sandlin	McNe rney
Clarke	Higgins	McNulty
Clay	Hill	Meek (FL)
Cleaver	Hinche y	Meeks (NY)
Clyburn	Hinojosa	Melancon
Cohen	Hirono	Mica
Conaway	Hobson	Michaud
Conyers	Hodes	Miller (NC)
Costello	Holden	Miller, Gary
Courtney	Holt	Miller, George
Cramer	Honda	Mitchell
Crenshaw	Hooley	Mollohan
Crowley	Hoyer	Moore (KS)
Cuellar	Inslee	Moore (WI)
Culberson	Israel	Moran (VA)
Cummings	Jackson (IL)	Murphy (CT)
Davis (AL)	Jackson-Lee	Murphy, Patrick
Davis (CA)	(TX)	Murtha
Davis (IL)	Jefferson	Musgrave
Davis, Lincoln	Johnson (GA)	Nadler
Deal (GA)	Johnson, E. B.	Napolitano
DeFazio	Jones (OH)	Neal (MA)
DeGette	Kagen	Norton
Delahunt	Kanjorski	Obey
DeLauro	Kaptur	Olver
Diaz-Balart, L.	Kennedy	Ortiz
Abercrombie	Davis (AL)	Honda
Ackerman	Davis (CA)	Hooley
Allen	Davis (IL)	Hoyer
Andrews	Davis, Lincoln	Inslee
Arcuri	DeFazio	Israel
Baca	DeGette	Jackson (IL)
Baird	Delahunt	Jackson-Lee
Baldwin	DeLauro	(TX)
Barrow	Diaz-Balart, L.	Jefferson
Becerra	Diaz-Balart, M.	Johnson (GA)
Berkley	Dicks	Johnson, E. B.
Berman	Dingell	Jones (NC)
Berry	Doggett	Jones (OH)
Bilirakis	Donnelly	Kagen
Bishop (GA)	Doyle	Kanjorski
Bishop (NY)	Edwards	Kaptur
Bordallo	Ellison	Keller
Boswell	Ellsworth	Kennedy
Boucher	Emanuel	Kildee
Boyd (FL)	Emerson	Kilpatrick
Brady (PA)	Engel	Kind
Braley (IA)	Eshoo	Klein (FL)
Brown (SC)	Etheridge	Kucinich
Brown, Corrine	Faleomavaega	Lampson
Brown-Waite,	Farr	Langevin
Ginny	Fattah	Larsen (WA)
Buchanan	Ferguson	Larson (CT)
Butterfield	Filner	Lee
Campbell (CA)	Fortuño	Lewis (CA)
Capps	Frank (MA)	Lewis (GA)
Capuano	Gillibrand	Lewis (KY)
Cardoza	Gonzalez	Lipinski
Carnahan	Gordon	LoBiondo
Carney	Green, Al	Loeb sack
Castor	Green, Gene	Lofgren, Zoe
Chandler	Grijalva	Lowe y
Clarke	Gutierrez	Lynch
Clay	Hall (NY)	Mahoney (FL)
Cleaver	Hare	Maloney (NY)
Clyburn	Harman	Markey
Cohen	Hastings (FL)	Marshall
Conyers	Herseth Sandlin	Matheson
Cooper	Higgins	Matsui
Costa	Hill	McCarthy (NY)
Costello	Hinche y	McCollum (MN)
Courtney	Hinojosa	McDermott
Cramer	Hirono	McGovern
Crenshaw	Hobson	McIntyre
Crowley	Hodes	McNe rney
Cuellar	Holden	McNulty
Cummings	Holt	Meek (FL)



Meeks (NY)	Rodriguez	Spratt	Carney	Issa	Pryce (OH)	McGovern	Rahall	Solis
Melancon	Ros-Lehtinen	Stark	Carter	Johnson (GA)	Radanovich	McIntyre	Rangel	Space
Mica	Ross	Stupak	Castle	Johnson (IL)	Ramstad	McNerney	Reyes	Spratt
Michaud	Rothman	Sutton	Chabot	Johnson, Sam	Regula	McNulty	Richardson	Stark
Miller (NC)	Roybal-Allard	Tanner	Coble	Jordan	Rehberg	Meek (FL)	Rodriguez	Stupak
Miller, George	Ruppersberger	Tauscher	Cole (OK)	King (IA)	Reichert	Meeks (NY)	Ros-Lehtinen	Sutton
Mitchell	Rush	Taylor	Conaway	King (NY)	Renzi	Melancon	Ross	Tanner
Mollohan	Ryan (OH)	Thompson (CA)	Culberson	Kingston	Reynolds	Michaud	Rothman	Tauscher
Moore (KS)	Salazar	Thompson (MS)	Davis (KY)	Kirk	Rogers (AL)	Miller (NC)	Roybal-Allard	Taylor
Moore (WI)	Sánchez, Linda	Tierney	Davis, David	Kline (MN)	Rogers (KY)	Miller, George	Ruppersberger	Thompson (CA)
Moran (VA)	T.	Towns	Davis, Tom	Knollenberg	Rogers (MI)	Mitchell	Rush	Thompson (MS)
Murphy (CT)	Sanchez, Loretta	Tsongas	Deal (GA)	Kuhl (NY)	Rohrabacher	Mollohan	Ryan (OH)	Tierney
Murphy, Patrick	Sarbanes	Udall (CO)	Dent	Lamborn	Roskam	Moore (KS)	Salazar	Towns
Murtha	Saxton	Udall (NM)	Doolittle	Latham	Royce	Moore (WI)	Sánchez, Linda	Tsongas
Nadler	Schakowsky	Van Hollen	Drake	LaTourette	Ryan (WI)	Moran (VA)	T.	Udall (CO)
Napolitano	Schiff	Velázquez	Dreier	Lewis (KY)	Sali	Murphy (CT)	Sanchez, Loretta	Udall (NM)
Neal (MA)	Schwartz	Visclosky	Duncan	Linder	Schmidt	Murphy, Patrick	Sarbanes	Van Hollen
Norton	Scott (GA)	Walz (MN)	Ehlers	Lucas	Sensenbrenner	Murtha	Saxton	Velázquez
Olver	Scott (VA)	Wasserman	Emerson	Mack	Sessions	Nadler	Schakowsky	Visclosky
Ortiz	Serrano	Schultz	English (PA)	Manzullo	Shadegg	Napolitano	Schiff	Walz (MN)
Pallone	Sestak	Waters	Everett	Marchant	Shays	Neal (MA)	Schwartz	Wasserman
Pascarella	Shea-Porter	Watson	Fallin	McCarthy (CA)	Shimkus	Norton	Scott (GA)	Schultz
Pastor	Sherman	Watt	Feeney	McCaul (TX)	Shuster	Obey	Scott (VA)	Waters
Payne	Shuler	Waxman	Flake	McCotter	Simpson	Olver	Serrano	Watson
Perlmutter	Sires	Weiner	Forbes	McHenry	Smith (NE)	Ortiz	Sestak	Watt
Peterson (MN)	Skelton	Welch (VT)	Fortenberry	McHugh	Smith (TX)	Pallone	Shea-Porter	Waxman
Pomeroy	Slaughter	Wexler	Fossella	McKeon	Souder	Pascarella	Sherman	Weiner
Price (NC)	Smith (NJ)	Wilson (OH)	Fox	McMorris	Stearns	Pastor	Shuler	Welch (VT)
Rahall	Smith (WA)	Woolsey	Franks (AZ)	Rodgers	Sullivan	Payne	Sires	Wexler
Rangel	Snyder	Wu	Frelinghuysen	Mica	Tancred	Perlmutter	Skelton	Wilson (OH)
Reyes	Solis	Yarmuth	Galleghy	Miller (MI)	Terry	Peterson (MN)	Slaughter	Woolsey
Richardson	Space	Young (FL)	Garrett (NJ)	Miller, Gary	Thornberry	Pomeroy	Smith (NJ)	Wu
			Gerlach	Moran (KS)	Tiahrt	Price (NC)	Smith (WA)	Yarmuth
			Gilchrest	Murphy, Tim	Tiberi	Putnam	Snyder	Young (FL)
			Gingrey	Musgrave	Turner			
			Gohmert	Myrick	Upton			
			Goode	Neugebauer	Walberg			
			Goodlatte	Nunes	Walden (OR)			
			Granger	Paul	Walsh (NY)			
			Graves	Pearce	Wamp			
			Hall (TX)	Pence	Weldon (FL)			
			Hastings (WA)	Peterson (PA)	Weller			
			Hayes	Petri	Westmoreland			
			Heller	Pickering	Whitfield			
			Hensarling	Pitts	Wicker			
			Herger	Platts	Wilson (NM)			
			Hoekstra	Poe	Wilson (SC)			
			Hulshof	Porter	Wolf			
			Inglis (SC)	Price (GA)	Young (AK)			

## NOT VOTING—20

Bean	Giffords	Lungren, Daniel
Bishop (UT)	Hastert	E.
Boren	Hunter	McCrery
Buyer	Jindal	Miller (FL)
Carson	LaHood	Oberstar
Christensen	Lantos	Obey
Cubin	Levin	Wynn

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

## □ 1850

Mr. MITCHELL changed his vote from “aye” to “no.”

Mr. ISSA changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 1 OFFERED BY MR. MANZULLO

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. MANZULLO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 242, not voting 19, as follows:

[Roll No. 1071]

## AYES—176

Aderholt	Biggert	Brady (TX)
Akin	Bilbray	Brown (GA)
Alexander	Blackburn	Burgess
Altmire	Blunt	Burton (IN)
Bachmann	Boehner	Calvert
Bachus	Bonner	Camp (MI)
Baker	Bono	Campbell (CA)
Barrett (SC)	Boozman	Cannon
Bartlett (MD)	Boustany	Cantor
Barton (TX)	Boyd (KS)	Capito

## NOES—242

Abercrombie	Cuellar	Hobson
Ackerman	Cummings	Hodes
Allen	Davis (AL)	Holden
Andrews	Davis (CA)	Holt
Arcuri	Davis (IL)	Honda
Baca	Davis, Lincoln	Hooley
Baird	DeFazio	Hoyer
Baldwin	DeGette	Inslee
Barrow	Delahunt	Israel
Becerra	DeLauro	Jackson (IL)
Berkley	Diaz-Balart, L.	Jackson-Lee
Berman	Diaz-Balart, M.	(TX)
Berry	Dicks	Jefferson
Bilirakis	Dingell	Johnson, E. B.
Bishop (GA)	Doggett	Jones (NC)
Bishop (NY)	Donnelly	Jones (OH)
Blumenauer	Doyle	Kagen
Bordallo	Edwards	Kanjorski
Boswell	Ellison	Kaptur
Boucher	Ellsworth	Keller
Boyd (FL)	Emanuel	Kennedy
Brady (PA)	Engel	Kildee
Braley (IA)	Eshoo	Kilpatrick
Brown (SC)	Etheridge	Kind
Brown, Corrine	Faleomavaega	Klein (FL)
Brown-Waite,	Farr	Kucinich
Ginny	Fattah	Lampson
Buchanan	Ferguson	Langevin
Butterfield	Filner	Larsen (WA)
Capps	Fortuño	Larson (CT)
Capuano	Frank (MA)	Lee
Cardoza	Gillibrand	Lewis (CA)
Carnahan	Gonzalez	Lewis (GA)
Castor	Gordon	Lipinski
Chandler	Green, Al	LoBiondo
Clarke	Green, Gene	Loeback
Clay	Grijalva	Loftgren, Zoe
Cleaver	Gutierrez	Lowey
Clyburn	Hall (NY)	Lynch
Cohen	Hare	Mahoney (FL)
Conyers	Harman	Maloney (NY)
Cooper	Hastings (FL)	Markey
Costa	Hereth Sandlin	Marshall
Costello	Higgins	Matheson
Courtney	Hill	Matsui
Cramer	Hinche	McCarthy (NY)
Crenshaw	Hinojosa	McCollum (MN)
Crowley	Hirono	McDermott

## NOT VOTING—19

Bean	Giffords	Lungren, Daniel
Bishop (UT)	Hastert	E.
Boren	Hunter	McCrery
Buyer	Jindal	Miller (FL)
Carson	LaHood	Oberstar
Christensen	Lantos	Wynn
Cubin	Levin	

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

## □ 1900

Mr. LYNCH changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 5 OFFERED BY MR. SHAYS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 166, noes 246, not voting 25, as follows:

[Roll No. 1072]

## AYES—166

Aderholt	Blackburn	Burgess
Akin	Blumenauer	Burton (IN)
Alexander	Blunt	Calvert
Bachmann	Boehner	Camp (MI)
Bachus	Bonner	Cannon
Baker	Bono	Capito
Barrett (SC)	Boozman	Carter
Bartlett (MD)	Boustany	Castle
Barton (TX)	Boyd (KS)	Chabot
Biggert	Brady (TX)	Coble
Bilbray	Brown (GA)	Cole (OK)

Conaway	Johnson (IL)	Ramstad	Mollohan	Ruppersberger	Sutton
Cooper	Johnson, Sam	Regula	Moore (KS)	Rush	Tanner
Culberson	Jordan	Rehberg	Moore (WI)	Ryan (OH)	Tauscher
Davis (KY)	King (IA)	Reichert	Moran (VA)	Salazar	Taylor
Davis, David	King (NY)	Renzi	Murphy (CT)	Sali	Thompson (CA)
Davis, Tom	Kingston	Reynolds	Murphy, Patrick	Sánchez, Linda	Thompson (MS)
Deal (GA)	Kirk	Rogers (AL)	Murtha	T.	Tierney
Dent	Kline (MN)	Rogers (KY)	Nadler	Sanchez, Loretta	Towns
Doolittle	Knollenberg	Rogers (MI)	Napolitano	Sarbanes	Tsongas
Drake	Kuhl (NY)	Rohrabacher	Neal (MA)	Saxton	Udall (CO)
Dreier	Lamborn	Roskam	Norton	Schakowsky	Udall (NM)
Duncan	Latham	Royce	Obey	Schiff	Van Hollen
Ehlers	LaTourette	Ryan (WI)	Oliver	Schwartz	Velázquez
Ellsworth	Lewis (CA)	Schmidt	Ortiz	Scott (GA)	Visclosky
Emerson	Lewis (KY)	Sensenbrenner	Pascarell	Scott (VA)	Walz (MN)
English (PA)	Linder	Sessions	Pastor	Serrano	Wasserman
Everett	Lucas	Shadegg	Payne	Sestak	Schultz
Fallin	Mack	Shays	Perlmutter	Shea-Porter	Waters
Flake	Manzullo	Shimkus	Peterson (MN)	Sherman	Watson
Forbes	Marchant	Shuster	Pitts	Shuler	Watt
Fortenberry	McCarthy (CA)	Simpson	Pomeroy	Sires	Waxman
Fossella	McCaul (TX)	Smith (NE)	Price (NC)	Skelton	Weiner
Fox	McCotter	Smith (TX)	Putnam	Slaughter	Welch (VT)
Franks (AZ)	McHenry	Souder	Rahall	Smith (NJ)	Weldon (FL)
Frelinghuysen	McHugh	Sullivan	Rangel	Smith (WA)	Wexler
Galegley	McKeon	Tancredo	Reyes	Snyder	Wilson (OH)
Garrett (NJ)	McMorris	Terry	Richardson	Solis	Woolsey
Gerlach	Rodgers	Thornberry	Rodriguez	Space	Wu
Gilchrest	Miller (MI)	Tiahrt	Ros-Lehtinen	Spratt	Yarmuth
Gingrey	Miller, Gary	Tiberi	Ross	Stark	Young (FL)
Gohmert	Moran (KS)	Turner	Rothman	Stearns	
Goode	Murphy, Tim	Upton	Roybal-Allard	Stupak	
Goodlatte	Musgrave	Walberg			
Granger	Neugebauer	Walden (OR)	Bean	Hastert	McCrery
Graves	Nunes	Walsh (NY)	Bishop (UT)	Hunter	Miller (FL)
Hall (TX)	Pearce	Wamp	Boren	Jindal	Oberstar
Hastings (WA)	Pence	Weller	Buyer	Kaptur	Pallone
Hayes	Petri	Westmoreland	Carnahan	LaHood	Paul
Heller	Pickering	Whitfield	Carson	Lantos	Peterson (PA)
Hensarling	Platts	Wicker	Christensen	Levin	Radanovich
Herger	Poe	Wilson (NM)	Cubin	Lungren, Daniel	Wynn
Hoekstra	Porter	Wilson (SC)	Giffords	E.	
Hulshof	Price (GA)	Wolf			
Inglis (SC)	Pryce (OH)	Young (AK)			
Issa					

## NOES—246

Abercrombie	Davis (CA)	Inslee
Ackerman	Davis (IL)	Israel
Allen	Davis, Lincoln	Jackson (IL)
Altmire	DeFazio	Jackson-Lee
Andrews	DeGette	(TX)
Arcuri	Delahunt	Jefferson
Baca	DeLauro	Johnson (GA)
Baird	Diaz-Balart, L.	Johnson, E. B.
Baldwin	Diaz-Balart, M.	Jones (NC)
Barrow	Dicks	Jones (OH)
Becerra	Dingell	Kagen
Berkley	Doggett	Kanjorski
Berman	Donnelly	Keller
Berry	Doyle	Kennedy
Bilirakis	Edwards	Kildee
Bishop (GA)	Ellison	Kilpatrick
Bishop (NY)	Emanuel	Kind
Bordallo	Engel	Klein (FL)
Boswell	Eshoo	Kucinich
Boucher	Etheridge	Lampson
Boyd (FL)	Faleomavaega	Langevin
Brady (PA)	Farr	Larsen (WA)
Braley (IA)	Fattah	Larson (CT)
Brown (SC)	Feeney	Lee
Brown, Corrine	Ferguson	Lewis (GA)
Brown-Waite,	Filner	Lipinski
Ginny	Fortuño	LoBiondo
Buchanan	Frank (MA)	Loebsack
Butterfield	Gillibrand	Lofgren, Zoe
Campbell (CA)	Gonzalez	Lowe
Cantor	Gordon	Lynch
Capps	Green, Al	Mahoney (FL)
Capuano	Green, Gene	Maloney (NY)
Cardoza	Grijalva	Markey
Carney	Gutierrez	Marshall
Castor	Hall (NY)	Matheson
Chandler	Hare	Matsui
Clarke	Harman	McCarthy (NY)
Clay	Hastings (FL)	McCollum (MN)
Cleaver	Herseth Sandlin	McDermott
Clyburn	Higgins	McGovern
Cohen	Hill	McIntyre
Conyers	Hinchey	McNerney
Costa	Hinojosa	McNulty
Costello	Hirono	Meek (FL)
Courtney	Hobson	Meeks (NY)
Cramer	Hodes	Melancon
Crenshaw	Holden	Mica
Crowley	Holt	Michaud
Cuellar	Honda	Miller (NC)
Cummings	Hooley	Miller, George
Davis (AL)	Hoyer	Mitchell

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MRS. CAPITO  
Mrs. CAPITO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. CAPITO. Yes, in its current form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Capito moves to recommit the bill H.R. 3355 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendments:

Redesignate sections 402, 403, and 404 as sections 403, 404, and 405, respectively.

After section 401, insert the following new section:

**SEC. 402. PROHIBITING CROSS-SUBSIDIZATION FROM MIDDLE AMERICA.**

Notwithstanding any other provision of this Act, a program shall not be considered to be a qualified reinsurance program for purposes of this Act unless the Secretary certifies that the program is not cross-subsidizing any geographic region, including by subsidizing coastal homeowners and developers at the cost of other taxpayers or policyholders.

The SPEAKER pro tempore. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. Mr. Speaker, valid questions have been asked about this, and this bill could make West Virginians and other taxpayers across America liable for what the bill says itself, hundreds of billions of dollars in loans and subsidized insurance to State insurance companies that are displacing the private sector and charging inadequate rates.

It is unclear how much this bill will actually cost the taxpayers. The Congressional Budget Office has said at least tens of millions of dollars if fully implemented, and it could have been higher by several magnitudes if they thought that States would actually use the provisions of the bill with any meaningful frequency. Now the manager's amendment has added up to 200 billion more dollars in taxpayer exposures that would not be repaid. There is no sunset on this bill, and this is a permanent liability for the taxpayers. The hard facts are that the bill itself recognizes that taxpayers could be asked to cough up enormous sums of taxpayer dollars.

Another consideration is the environment. The National Wildlife Foundation and the Florida Coalition for Preservation oppose this bill because they say it "would result in continued encouragement of risky development in our Nation's coastal areas and floodplains. With more development in these environmentally sensitive areas, this bill could lead to more loss of life, property, and of wildlife habitat. The safety of our citizens should be the number one priority of any government program dealing with natural disasters.

## NOT VOTING—25

Bean	Hastert	McCrery
Bishop (UT)	Hunter	Miller (FL)
Boren	Jindal	Oberstar
Buyer	Kaptur	Pallone
Carnahan	LaHood	Paul
Carson	Lantos	Peterson (PA)
Christensen	Levin	Radanovich
Cubin	Lungren, Daniel	Wynn
Giffords	E.	

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1906

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SERRANO) having assumed the chair, Mr. CARDOZA, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3355) to ensure the availability and affordability of homeowners' insurance coverage for catastrophic events, pursuant to House Resolution 802, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The administration says that H.R. 3355 would “displace the private market,” “clearly result in a subsidy for insurers, State insurance programs, and their policyholders,” “undermine economic incentives to mitigate risks,” “be fiscally irresponsible as the Federal Government could expect to face steep losses in certain years,” and that “financing these losses would require Federal taxpayers to subsidize insurance rates for the benefit of those living in high-risk areas.

Mr. Speaker, this amendment simply says, if we are going to put taxpayers on the hook for billions of dollars in loans Treasury will be forced to give under this bill, then we should also make a commitment that homeowners who do not live on the coast will not have to pay for this subsidy in the form of increased insurance rates. One group of taxpayers should not be compelled to cover the inherent costs of risky, high-priced coastal development for developers.

Without this amendment, homeowners, who are taxpayers too, would be hit twice. First, they would essentially guarantee these loans in the event States default, and according to Treasury, “it is more than likely that there will be significant pressures to forgive outstanding debt in the case of a huge catastrophe” and that “taxpayers nationwide subsidize insurance rates in high-risk areas, which would be both costly and unfair.”

Second, the extension of these loans will implicitly subsidize high-risk areas at the expense of other homeowners. When a State repays these loans, it could assess a fee or tax on all homeowners in the State, including those who don't receive the benefit of this subsidy. Also, the State insurance companies that stand to gain from this bill squeeze out private insurers, meaning less competition for consumers, higher prices, and fewer choices.

□ 1915

On October 10, a Wall Street Journal editorial put it this way: Congress is volunteering “middle-class taxpayers nationwide as the financial backstop for beachfront properties.”

Mr. Speaker, this bill does nothing to address the development and zoning that could be encouraged with these new programs. We can add mitigation and other requirements. The fact is, if the Federal Government is making something cheaper, you're probably going to buy more of it and do more of it.

Today, with this bill, we are giving a gift to coastal development and dysfunctional State agencies at the expense of Middle America. Homeowners all over the country have been hit hard lately; and for the millions of taxpayers who do not live in these areas, this bill would be another blow. My amendment simply ensures that we will be mindful of the vast majority of homeowners and taxpayers who, like West Virginians, do not stand to benefit from this bill at all.

Mr. Speaker, I yield back the balance of my time.

Mr. FRANK of Massachusetts. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. I yield to the gentlewoman from Florida (Ms. BROWN-WAITE).

Ms. BROWN-WAITE of Florida. I thank the gentleman for yielding.

I am very much opposed to the motion to recommit.

States have comprehensive plans controlling development. What States don't want is the Federal Government telling them what to do. There are excellent new building requirements, new building codes that are in place to ensure that anything that has been built since 1990 is built to much stronger standards.

On the insurance costs: let's face it, ladies and gentlemen, if this bill doesn't pass and a catastrophe happens, the first thing that will be the bill du jour is to bail out California if there is an earthquake, Florida if there is a hurricane, or any other State where tornadoes hit down. If you voted for TRIA because it was the right thing to do to stabilize the reinsurance market for terrorism insurance, then you should vote for the bill and against the motion to recommit. This is an attempt to stabilize the insurance market; it is not an attempt to take over the insurance market.

Mr. FRANK of Massachusetts. Mr. Speaker, first my friend from West Virginia said, well, we would be displacing the private insurance market. We have fellow citizens represented here who are trying desperately to find that private insurance market. This is hardly a case of our intruding in a perfectly functioning market.

And then the amendment bans cross-subsidies; it bans cross-subsidies that do not exist. The CBO report: “Assuming the appropriation of the specified amount CBO estimated in implementing this provision would cost \$75 million over the next 5 years.” That's the total on one provision. On the other provision: “CBO estimates that loans made under the bill would have an insignificant cost over the next 5 years. Enacting H.R. 3355 would not affect direct spending or revenue.” So there is no taxpayer expenditure; so there is no subsidy.

Then as to cross-subsidy, it is very carefully worded. It says: “No cross-subsidizing in any geographic region.” It doesn't say across State lines because that could not happen. No State is in this program unless it volunteers to get in. So now, apparently, the worry is that north Florida will subsidize south Florida. I think we leave that to Florida.

One last point. Many of my colleagues have had this button, article I. This does not attempt to change the program substantively. It does not try to deal with the subsidies because

they're nonexistent. It says: “The Secretary of the Treasury has to certify.” It is a very disturbing provision. It gives to a Secretary of the Treasury, who might be ideologically opposed to this, the power to kill the program voted by both Houses of Congress. If it said the Secretary could make a report and we would consider it, that would be one thing. But there is no taxpayer subsidy, according to CBO. There is no interstate involvement unless the States have volunteered to get in.

And then it says that these non-existent hazards will stop the program. And it doesn't say, by the way, that the Secretary stops it if he certifies it's causing a problem. He has to certify the negative. He has to certify that it's not causing the problem. To give that kind of power to the Secretary on a carefully drafted bill that already says no subsidy, that bans any interstate involvement unless the States want to, is just a way to kill the bill. I do not think that it's fair to our colleagues from Florida on both sides of the aisle who have brought this forward and colleagues from other States who may want to join.

The worst thing about this is the title: “Prohibiting Cross-Subsidization from Middle America.” Well, the gentlewoman left out apple pie and the flag, but all of them are irrelevant to this bill. If Middle America doesn't want to be in this bill, it simply stays out of it. There is nothing here that would coerce any State to be involved. So Members can safely vote against this recommitment and know that Middle America will sleep soundly tonight without having to subsidize the State of Florida.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

RECORDED VOTE

Mrs. CAPITO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 175, yeas 239, not voting 18, as follows:

[Roll No. 1073]

AYES—175

Aderholt	Bilbray	Brady (TX)
Akin	Blackburn	Brown (GA)
Alexander	Blumenauer	Burgess
Bachmann	Blunt	Burton (IN)
Bachus	Boehner	Calvert
Baker	Bonner	Camp (MI)
Barrett (SC)	Bono	Cannon
Bartlett (MD)	Boozman	Cantor
Barton (TX)	Boustany	Capito
Biggert	Boyd (KS)	Carney

Carter	Issa	Pryce (OH)	Meek (FL)	Richardson	Spratt	Emanuel	Lewis (GA)	Rush
Castle	Johnson (IL)	Radanovich	Meeks (NY)	Rodriguez	Stark	Engel	Lewis (KY)	Ryan (OH)
Chabot	Johnson, Sam	Ramstad	Melancon	Ros-Lehtinen	Stupak	Eshoo	Lipinski	Salazar
Coble	Jordan	Regula	Michaud	Ross	Sutton	Etheridge	LoBiondo	Sánchez, Linda
Cole (OK)	King (IA)	Rehberg	Miller (FL)	Rothman	Tanner	Farr	Loebsack	T.
Conaway	King (NY)	Reichert	Miller (NC)	Roybal-Allard	Tauscher	Fattah	Lofgren, Zoe	Sanchez, Loretta
Culberson	Kingston	Renzi	Miller, George	Ruppersberger	Taylor	Feeney	Lowey	Sarbanes
Davis (KY)	Kirk	Reynolds	Mitchell	Rush	Thompson (CA)	Ferguson	Lynch	Saxton
Davis, David	Kline (MN)	Rogers (AL)	Mollohan	Ryan (OH)	Thompson (MS)	Filner	Mack	Schakowsky
Davis, Tom	Knollenberg	Rogers (KY)	Moore (KS)	Salazar	Tierney	Forbes	Mahoney (FL)	Schiff
Deal (GA)	Kuhl (NY)	Rogers (MI)	Moore (WI)	Sánchez, Linda	Towns	Frank (MA)	Maloney (NY)	Schwartz
Dent	Lamborn	Rohrabacher	Moran (VA)	T.	Tsongas	Gilchrest	Markey	Scott (GA)
Doolittle	Latham	Roskam	Murphy (CT)	Sanchez, Loretta	Udall (CO)	Gillibrand	Marshall	Scott (VA)
Drake	LaTourette	Royce	Murphy, Patrick	Sarbanes	Udall (NM)	Gonzalez	Matheson	Serrano
Dreier	Lewis (CA)	Ryan (WI)	Murtha	Saxton	Van Hollen	Gordon	Matsui	Sestak
Duncan	Lewis (KY)	Sali	Nadler	Schakowsky	Velázquez	Green, Al	McCarthy (NY)	Shea-Porter
Ehlers	Linder	Schmidt	Napolitano	Schiff	Visclosky	Green, Gene	McCollum (MN)	Sherman
Emerson	Lucas	Neal (MA)	Obey	Schwartz	Walz (MN)	Grijalva	McDermott	Shuler
English (PA)	Mack	Sensenbrenner	Oliver	Scott (GA)	Wasserman	Gutierrez	McGovern	Shuler
Everett	Manzullo	Sessions	Ortiz	Scott (VA)	Schultz	Hall (NY)	McIntyre	Sires
Fallin	Marchant	Shadegg	Pallone	Serrano	Waters	Hare	McNerney	Skelton
Flake	McCarthy (CA)	Shays	Pascarell	Sestak	Watson	Harman	McNulty	Slaughter
Forbes	McCaul (TX)	Shimkus	Pastor	Shea-Porter	Watt	Hastings (FL)	Meek (FL)	Smith (NJ)
Fortenberry	McCotter	Shuster	Payne	Sherman	Waxman	Herseht Sandlin	Meeks (NY)	Smith (WA)
Fossella	McHenry	Simpson	Perlmutter	Shuler	Weiner	Higgins	Melancon	Snyder
Fox	McHugh	Smith (NE)	Peterson (MN)	Sires	Welch (VT)	Hill	Mica	Solis
Franks (AZ)	McKeon	Smith (TX)	Pomeroy	Skelton	Weldon (FL)	Hinchey	Michaud	Space
Frelinghuysen	McMorris	Souder	Price (NC)	Slaughter	Wexler	Hinojosa	Miller (FL)	Spratt
Gallegly	Rodgers	Stearns	Putnam	Smith (NJ)	Wilson (OH)	Hirono	Miller (NC)	Stark
Garrett (NJ)	Mica	Sullivan	Rahall	Smith (WA)	Woolsey	Hobson	Miller, George	Stearns
Gerlach	Miller (MI)	Tancred	Rangel	Snyder	Wu	Hodes	Mitchell	Stupak
Gilchrest	Miller, Gary	Terry	Reyes	Solis	Yarmuth	Holden	Mollohan	Sullivan
Gingrey	Moran (KS)	Thornberry		Space	Young (FL)	Holt	Moore (KS)	Sutton
Gohmert	Murphy, Tim	Tiahrt				Honda	Moore (WI)	Tanner
Goode	Musgrave	Tiberi				Hooley	Moran (VA)	Tauscher
Goodlatte	Myrick	Turner				Hoyer	Murphy (CT)	Taylor
Granger	Neugebauer	Upton				Inslee	Murphy, Patrick	Thompson (CA)
Graves	Nunes	Walberg				Israel	Murtha	Thompson (MS)
Hall (TX)	Paul	Walden (OR)				Jackson (IL)	Nadler	Tierney
Hastings (WA)	Pearce	Walsh (NY)				Jackson-Lee	Napolitano	Towns
Hayes	Pence	Wamp				(TX)	Neal (MA)	Tsongas
Heller	Peterson (PA)	Weller				Jefferson	Obey	Udall (CO)
Hensarling	Petri	Westmoreland				Johnson (GA)	Oliver	Udall (NM)
Herger	Pickering	Whitfield				Johnson (IL)	Ortiz	Van Hollen
Herseht Sandlin	Pitts	Wicker				Johnson, E. B.	Pallone	Velázquez
Hobson	Platts	Wilson (NM)				Jones (NC)	Pascarell	Visclosky
Hoekstra	Poe	Wilson (SC)				Jones (OH)	Pastor	Walz (MN)
Hulshof	Porter	Wolf				Kagen	Payne	Wasserman
Inglis (SC)	Price (GA)	Young (AK)				Kanjorski	Peterson (MN)	Schultz
						Kaptur	Pickering	Waters
						Keller	Poe	Watson
						Kennedy	Pomeroy	Waxman
						Kildee	Price (NC)	Waxman
						Kilpatrick	Putnam	Weiner
						Kind	Rahall	Welch (VT)
						King (NY)	Rangel	Weldon (FL)
						Kirk	Reyes	Weller
						Klein (FL)	Richardson	Wexler
						Kucinich	Rodriguez	Wicker
						Lampson	Ros-Lehtinen	Wilson (OH)
						Langevin	Ross	Woolsey
						Larsen (WA)	Rothman	Wu
						Larson (CT)	Roybal-Allard	Yarmuth
						Lee	Ruppersberger	Young (FL)

## NOT VOTING—18

Bean  
Bishop (UT)  
Boren  
Buyer  
Carson  
Cubin  
Farr  
Giffords  
Hastert  
Hunter  
Jindal  
LaHood  
Lantos  
Levin  
Lungren, Daniel  
E.  
McCrery  
Oberstar  
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1938

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. CAPITOL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.  
The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 258, nays 155, not voting 19, as follows:

[Roll No. 1074]

AYES—258

Abercrombie	Cuellar	Honda	Meek (FL)	Richardson	Spratt	Emanuel	Lewis (GA)	Rush
Ackerman	Cummings	Hooley	Meeks (NY)	Rodriguez	Stark	Engel	Lewis (KY)	Ryan (OH)
Allen	Davis (AL)	Hoyer	Melancon	Ros-Lehtinen	Stupak	Eshoo	Lipinski	Salazar
Altmire	Davis (CA)	Inslee	Michaud	Ross	Sutton	Etheridge	LoBiondo	Sánchez, Linda
Andrews	Davis (IL)	Israel	Miller (FL)	Rothman	Tanner	Farr	Loebsack	T.
Arcuri	Davis, Lincoln	Jackson (IL)	Miller (NC)	Roybal-Allard	Tauscher	Fattah	Lofgren, Zoe	Sanchez, Loretta
Baca	DeFazio	Jackson-Lee	Reichert	Miller, George	Taylor	Feeney	Lowey	Sarbanes
Baird	DeGette	(TX)	Renzi	Mitchell	Thompson (CA)	Ferguson	Lynch	Saxton
Baldwin	Delahunt	Jefferson	Reynolds	Mollohan	Thompson (MS)	Filner	Mack	Schakowsky
Barrow	DeLauro	Johnson (GA)	Rogers (AL)	Moore (KS)	Tierney	Forbes	Mahoney (FL)	Schiff
Becerra	Diaz-Balart, L.	Johnson, E. B.	Rogers (KY)	Moore (WI)	Towns	Frank (MA)	Maloney (NY)	Schwartz
Berkley	Diaz-Balart, M.	Jones (NC)	Reichert	Moran (VA)	Tsongas	Gilchrest	Markey	Scott (GA)
Berman	Dicks	Jones (OH)	Reich	Smith (NE)	Udall (CO)	Gillibrand	Marshall	Scott (VA)
Berry	Dingell	Kagen	Reynolds	Smith (TX)	Udall (NM)	Gonzalez	Matheson	Serrano
Bilirakis	Doggett	Kanjorski	Rogers (MI)	Souder	Van Hollen	Gordon	Matsui	Sestak
Bishop (GA)	Donnelly	Kaptur	Rohrabacher	Stearns	Wexler	Green, Al	McCarthy (NY)	Shea-Porter
Bishop (NY)	Doyle	Keller	Roskam	Smith (NJ)	Wilson (OH)	Green, Gene	McCollum (MN)	Sherman
Boswell	Edwards	Kennedy	Ros-Lehtinen	Smith (WA)	Woolsey	Grijalva	McDermott	Shuler
Boucher	Ellison	Kildee	Ross	Snyder	Wu	Gutierrez	McGovern	Shuler
Boyd (FL)	Ellsworth	Kilpatrick	Rothman	Solis	Yarmuth	Hall (NY)	McIntyre	Sires
Brady (PA)	Emanuel	Kind	Roybal-Allard	Space	Young (FL)	Hare	McNerney	Skelton
Braley (IA)	Engel	Klein (FL)	Ruppersberger			Harman	McNulty	Slaughter
Brown (SC)	Eshoo	Kucinich				Hastings (FL)	Meek (FL)	Smith (NJ)
Brown, Corrine	Etheridge	Lampson				Higgins	Meeks (NY)	Smith (VA)
Brown-Waite,	Fattah	Langevin				Hinojosa	Melancon	Snyder
Ginny	Feeney	Larsen (WA)				Hobson	Mica	Solis
Buchanan	Ferguson	Larson (CT)				Hodes	Michaud	Space
Butterfield	Filner	Lee				Holden	Miller (FL)	Spratt
Campbell (CA)	Frank (MA)	Lewis (GA)				Holt	Miller (NC)	Stark
Capps	Gillibrand	Lipinski					Miller, George	Stearns
Capuano	Gonzalez	LoBiondo					Mitchell	Stupak
Cardoza	Gordon	Loebsack					Mollohan	Sullivan
Carnahan	Green, Al	Lofgren, Zoe					Moore (KS)	Sutton
Castor	Green, Gene	Lowey					Moore (WI)	Tanner
Chandler	Grijalva	Lynch					Moran (VA)	Tauscher
Clarke	Gutierrez	Mahoney (FL)					Murphy (CT)	Taylor
Clay	Hall (NY)	Maloney (NY)					Murphy, Patrick	Thompson (CA)
Cleaver	Hare	Markey					Murtha	Thompson (MS)
Clyburn	Harman	Marshall					Nadler	Tierney
Cohen	Hastings (FL)	Matheson					Napolitano	Towns
Conyers	Higgins	Matsui					Neal (MA)	Tsongas
Cooper	Hill	McCarthy (NY)					Obey	Udall (CO)
Costa	Hinchey	McCollum (MN)					Oliver	Udall (NM)
Costello	Hinojosa	McDermott					Ortiz	Van Hollen
Courtney	Hirono	McGovern					Pallone	Velázquez
Cramer	Hodes	McIntyre					Pascarell	Visclosky
Crenshaw	Holden	McNerney					Pastor	Walz (MN)
Crowley	Holt	McNulty					Payne	Wasserman
							Peterson (MN)	Schultz
							Pickering	Waters
							Poe	Watson
							Pomeroy	Waxman
							Price (NC)	Waxman
							Putnam	Weiner
							Rahall	Welch (VT)
							Rangel	Weldon (FL)
							Reyes	Weller
							Richardson	Wexler
							Rodriguez	Wicker
							Ros-Lehtinen	Wilson (OH)
							Ross	Woolsey
							Rothman	Wu
							Roybal-Allard	Yarmuth
							Ruppersberger	Young (FL)

## NOES—155

Aderholt	Culberson	Hensarling
Akin	Davis (KY)	Herger
Alexander	Davis, David	Hoekstra
Bachmann	Davis, Tom	Hulshof
Bachus	Deal (GA)	Inglis (SC)
Baker	Dent	Issa
Barrett (SC)	Doolittle	Johnson, Sam
Bartlett (MD)	Dreier	Jordan
Barton (TX)	Duncan	King (IA)
Biggart	Ehlers	Kingston
Bilbray	Emerson	Kline (MN)
Blackburn	English (PA)	Knollenberg
Blumenauer	Everett	Kuhl (NY)
Blunt	Fallin	Lamborn
Boehner	Flake	Latham
Bonner	Fortenberry	LaTourette
Boozman	Fossella	Lewis (CA)
Boyda (KS)	Fox	Linder
Brady (TX)	Franks (AZ)	Lucas
Broun (GA)	Frelinghuysen	Manzullo
Burgess	Gallegly	Marchant
Calvert	Garrett (NJ)	McCarthy (CA)
Camp (MI)	Gerlach	McCaul (TX)
Cannon	Gingrey	McCotter
Cantor	Gohmert	McHenry
Capito	Goode	McHugh
Carter	Goodlatte	McKeon
Castle	Granger	McMorris
Chabot	Graves	Rodgers
Coble	Hall (TX)	Miller (MI)
Cole (OK)	Hastings (WA)	Miller, Gary
Conaway	Hayes	Moran (KS)
Cooper	Heller	Murphy, Tim

Musgrave	Renzi	Smith (TX)
Myrick	Reynolds	Souder
Neugebauer	Rogers (AL)	Tancredo
Nunes	Rogers (KY)	Terry
Paul	Rogers (MI)	Thornberry
Pearce	Rohrabacher	Tiahrt
Pence	Roskam	Tiberi
Peterson (PA)	Royce	Turner
Petri	Ryan (WI)	Upton
Pitts	Sali	Walberg
Platts	Schmidt	Walden (OR)
Porter	Sensenbrenner	Walsh (NY)
Price (GA)	Sessions	Wamp
Pryce (OH)	Shadegg	Westmoreland
Radanovich	Shays	Whitfield
Ramstad	Shimkus	Wilson (NM)
Regula	Shuster	Wilson (SC)
Rehberg	Simpson	Wolf
Reichert	Smith (NE)	Young (AK)

## NOT VOTING—19

Bean	Hastert	Lungren, Daniel
Bishop (UT)	Hunter	E.
Boren	Jindal	McCrery
Buyer	LaHood	Oberstar
Carson	Lantos	Perlmutter
Cubin	Levin	Watt
Giffords		Wynn

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1946

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PERLMUTTER. Mr. Speaker, on rollcall No. 1074, I was unavoidably delayed in a meeting and did not get to the floor in time to vote. Had I been present, I would have voted "aye."

# AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3355, HOMEOWNERS' DEFENSE ACT OF 2007

Mr. KLEIN of Florida. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 3355, to include corrections in spelling, punctuation, section numbering, cross-referencing, and amendatory instructions, and the insertion of appropriate headings.

The SPEAKER pro tempore (Mrs. TAUSCHER). Is there objection to the request of the gentleman from Florida?

There was no objection.

# REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3996, TEMPORARY TAX RELIEF ACT OF 2007

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 110-438) on the resolution (H. Res. 809) providing for consideration of the bill (H.R. 3996) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, which was referred to the House Calendar and ordered to be printed.

# DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. OBEY. Madam Speaker, pursuant to House Resolution 794, I call up the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with a Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

## SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

Sec. 2. Statement of Appropriations.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS, 2008

Title I—Department of Labor

Title II—Department of Health and Human Services

Title III—Department of Education

Title IV—Related Agencies

Title V—General Provisions

## SEC. 2. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008.

### TITLE I

#### DEPARTMENT OF LABOR

##### EMPLOYMENT AND TRAINING ADMINISTRATION

##### TRAINING AND EMPLOYMENT SERVICES

##### (INCLUDING RESCISSIONS)

For necessary expenses of the Workforce Investment Act of 1998 ("WIA"), the Denali Commission Act of 1998, and the Women in Apprenticeship and Non-Traditional Occupations Act of 1992, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIA; \$3,618,940,000, plus reimbursements, is available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, \$2,994,510,000 as follows:

(A) \$864,199,000 for adult employment and training activities, of which \$152,199,000 shall be available for the period July 1, 2008 to June 30, 2009, and of which \$712,000,000 shall be available for the period October 1, 2008 through June 30, 2009;

(B) \$940,500,000 for youth activities, which shall be available for the period April 1, 2008 through June 30, 2009; and

(C) \$1,189,811,000 for dislocated worker employment and training activities, of which \$341,811,000 shall be available for the period July 1, 2008 through June 30, 2009, and of which \$848,000,000 shall be available for the period October 1, 2008 through June 30, 2009:

Provided, That notwithstanding the transfer limitation under section 133(b)(4) of the WIA, up to 30 percent of such funds may be transferred by a local board if approved by the Governor;

(2) for federally administered programs, \$483,371,000 as follows:

(A) \$282,092,000 for the dislocated workers assistance national reserve, of which \$6,300,000 shall be available on October 1, 2007, of which \$63,792,000 shall be available for the period July 1, 2008 through June 30, 2009, and of which \$212,000,000 shall be available for the period October 1, 2008 through June 30, 2009: Provided, That up to \$125,000,000 may be made available for Community-Based Job Training grants from funds reserved under section 132(a)(2)(A) of the WIA and shall be used to carry out such grants under section 171(d) of such Act, except that the 10 percent limitation otherwise applicable to the amount of funds that may be used to carry out section 171(d) shall not be applicable to funds used for Community-Based Job Training grants: Provided further, That funds provided to carry out section 132(a)(2)(A) of the WIA may be used to provide assistance to a State for State-wide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That funds provided to carry out section 171(d) of the WIA may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That \$2,600,000 shall be for a noncompetitive grant to the National Center on Education and the Economy, which shall be awarded not later than 30 days after the date of enactment of this Act: Provided further, That \$1,500,000 shall be for a non-competitive grant to the AFL-CIO Working for America Institute, which shall be awarded not later than 30 days after the date of enactment of this Act: Provided further, That \$2,200,000 shall be for a non-competitive grant to the AFL-CIO Appalachian Council, Incorporated, for Job Corps career transition services, which shall be awarded not later than 30 days after the date of enactment of this Act;

(B) \$55,039,000 for Native American programs, which shall be available for the period July 1, 2008 through June 30, 2009;

(C) \$82,740,000 for migrant and seasonal farmworker programs under section 167 of the WIA, including \$77,265,000 for formula grants (of which not less than 70 percent shall be for employment and training services), \$4,975,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and \$500,000 for other discretionary purposes, which shall be available for the period July 1, 2008 through June 30, 2009: Provided, That, notwithstanding any other provision of law or related regulation, the Department shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) \$1,000,000 for carrying out the Women in Apprenticeship and Nontraditional Occupations Act, which shall be available for the period July 1, 2008 through June 30, 2009; and

(E) \$62,500,000 for YouthBuild activities as described in section 173A of the WIA, which shall be available for the period April 1, 2008 through June 30, 2009;

(3) for national activities, \$141,059,000, which shall be available for the period July 1, 2008 through July 30, 2009 as follows:

(A) \$50,569,000 for Pilots, Demonstrations, and Research, of which \$5,000,000 shall be for grants to address the employment and training needs of young parents (notwithstanding the requirements of sections 171(b)(2)(B) or 171(c)(4)(D) of the WIA): Provided, That funding provided to carry out projects under section 171 of the WIA that are identified in the statement of the managers on the conference report accompanying this Act, shall not be subject to the requirements of section 171(b)(2)(B) and 171(c)(4)(D) of the WIA, the joint funding requirements of sections 171(b)(2)(A) and 171(c)(4)(A) of the WIA, or any